

IS AWARDED \$24,000.00 IN WAGES SUIT

Aged Woman Is Grante **AGED SERVANT**

Sum As Payments For
Back Pay For Life Time
Services In Rancher's
Home

WINS \$24,000

AS BACK WAGES

MAYSVILLE, Mo., April 21. — (Special) A suit for \$80,000 life time wages, charged to have been due her for services in the employment of the late Colonel H. Clay Duncan, wealthy cattle man, ended Wednesday when Sarah Duncan, 65 years old, was awarded \$24,000 against the Duncan estate in Circuit Judge Guy Park's court. The jury deliberated about five hours, returning with a 10-2 verdict.

Never Received Pay

Miss Duncan, who came to the Duncan household when a small child was left an aged and penniless woman at the time of Colonel Duncan's death. Thru a verbal agreement she had been promised a stipulated wage for her services, but had never received any remuneration. Upon the advice of friends she filed suit for the pay which was due her according to the arrangement.

Miss Duncan's suit was dismissed September 18, 1926 through her own consent. The case dismissed on the papers filed by the plaintiff were fictitious and fraudulent.

Following the dismissal, however, attorneys for the plaintiff filed to set aside the dismissal charging that the papers were secured thru coercion and fraud.

W. M. Fitch, attorney for the Duncan estate filed a motion challenging the jurisdiction of the case. He contended that since the suit was dismissed with the consent of the plaintiff the court had no longer jurisdiction.

Judge Guy Parks of the Circuit Court sustained the motion filed by the plaintiff's attorneys.

Amount Reduced

Miss Duncan could not be awarded the full amount asked in her suit under the statutes of 1865 which invalidates the compounding interest on money due through verbal contract. The petition was amended reducing the sum from \$80,000 to

have reached maturity, has signed up to be present with his mother. Following is a list of a few of the mothers already secured:

Mrs. Howard Curtis, 74; Mrs. Mary Clark, 82; Mrs. Cole Shelton, 85; Mrs. Belle Stallin, 81; Mrs. Harrietta Brooks, 80; Mrs. Matilda Bankead, 86; Mrs. Nelly Williams, 88; Mrs. Amelia Nichols, 72; Mrs. Maria Dixon, 79; Mrs. Laura E. Bookens, 77; William Brown, 71.

Maysville, Mo., April 29.—Sarah Duncan, 65-year-old servant, was awarded \$24,000 by a jury in the circuit court here Wednesday afternoon from the H. Clay Duncan estate of Osborn, Mo. The jury deliberated about five hours, returning with a 10 to 2 verdict.

When the verdict was read in court many of those who had attended the trial gathered about the elderly woman and congratulated her.

The woman originally had sued for \$80,000, the amount which she claimed was due her for lifetime wages in the Duncan household. Under the statutes of 1865, interest could not be compounded on money due through a verbal contract, and the petition of the plaintiff was amended, cutting the sum asked from \$80,000 to \$24,000, the amount claimed to be due her plus simple interest for 47 years.

During the trial of the case the defendant, Mrs. Elizabeth Duncan, widow of Colonel Duncan, was placed on the stand and testified that no contract, either written or verbal, had existed between her husband and Sarah. Other witnesses included Mrs. Lulu Edwards of St. Louis, a daughter of Colonel Duncan; Mrs. Susan Thompson of Portland, Ore., another daughter; Mrs. Nannie Lyons of Kansas City, a third daughter; Rev. Frank Loose of Liberty, Mo., and T. R. Shields of Kansas City. Mrs. Lina Gosnell of Pasadena, Calif., although present at the trial, did not testify.